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SERIAL NUMBER	FILING DATE	FIRST NAMED APPLICANT	ATTORNEY DOCKET NO.
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HENRY W. KOSTER
C/O CURTIS, MORRIS & SAFFORD
530 FIFTH AVE.
NEW YORK, NY 10036

EXAMINER	
ROLLINS, A	
ART UNIT	PAPER NUMBER
122	

DATE MAILED: 07/20/81

This is a communication from the examiner in charge of your application.

COMMISSIONER OF PATENTS AND TRADEMARKS

Mar. 16, 1981

May 1, 1981

This action is made final.

A shortened statutory period for response to this action is set to expire 3 month(s), _____ days from the date of this letter. Failure to respond within the period for response will cause the application to become abandoned. 35 U.S.C. 133

Part I THE FOLLOWING ATTACHMENT(S) ARE PART OF THIS ACTION:

1. Notice of References Cited by Examiner, PTO-892 2. Notice of Informal Patent Drawing, PTO-948
3. Notice of References Cited by Applicant, PTO-1449 4. Notice of Informal Patent Application, Form PTO-152

Part II SUMMARY OF ACTION

5. _____

1. Claims 1-9 are pending in the application.
Of the above, claims 2, 5 are withdrawn from consideration.
2. Claims _____ have been cancelled.
3. Claims _____ are allowed.
4. Claims 1, 3-4, 6 are rejected.
5. Claims 7-9 are objected to.
6. Claims _____ are subject to restriction or election requirement.
7. The formal drawings filed on _____ are acceptable.
8. The drawing correction request filed on _____ has been approved. disapproved.
9. Acknowledgment is made of the claim for priority under 35 U.S.C. 119. The certified copy has
 been received. not been received. been filed in parent application, serial no. _____,
filed on _____.
10. Since this application appears to be in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under Ex parte Quayle, 1935 C.D. 11; 453 O.G. 213.
11. Other

SERIAL
NUMBER 217524GROUP ART UNIT
122

PART III

NOTIFICATION OF REJECTION(S) AND/OR OBJECTION(S) (35 USC 132)

	CLAIMS (1)	REASONS FOR REJECTION (2)	REFERENCES * (3)	INFORMATION IDENTIFICATION AND COMMENTS (4)
1	1,3-4	35 USC 112, para. one, two		Claims are vague and indefinite in the definition of X. Meaning of "or unsaturated is not clear. Not seen how the definition X covers the hexahydroisoindoline or octahydroisoquinoline compounds disclosed.
2	3	35 USC 112, para. two; 37 CFR 1.75(b)		Claim is vague and indefinite in "Medicamen based on...". Not clear what is intended to be claimed. Claim recites no ingredients of medicaments except compound of claim 1, hence is a substantial duplicate of claim 1. In re Jones, 162 F2d 479, 74 USPQ 149.
3	"	"		
4	4	35 USC 101; 112, para. two		Use is not a category of invention which can be claimed as such. See In re Fong, 288 F2d 932, 129 USPQ 264.
4.5	Claims 7-9 are allowable if rewritten in independent form.			
5	Requirement for restriction is made final, except that election of species is modified to the extent that claims 7-9, drawn to the elect species and homologs of it, will be examined together. Applicants' traverse appears to be directed only to the restriction between groups I and II. As noted, claim 2 recites a large number of alternative methods for preparing the compounds of Group I, hence none of the methods is "specially adapted" for preparing those products. Hence restriction is proper. See MPEP 806.05(f). Note that the references cited appear to teach many of the claimed methods.			
6.	A-E are cited to show the state of the art.			

* Capital letters representing references are identified on accompanying Form PTO-892
 The symbol "v" between letters represents - in view of -.
 The symbol "+" or "&" between letters represents - and -.
 A slash "/" between letters represents the alternative - or -.

NOTE: Sections 100, 101, 102, 103, and 112 of the Patent Statute (Title 35 of the United States Code) are reproduced on the back of this sheet.

EXAMINER
Alton D. Rollins
TEL. NO.
(703) - 557-3032

Alton D. Rollins
ALTON D. ROLLINS
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